

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ARTURO DE LA CERDA,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of
Social Security,

Defendant.

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4:10CV3252

MEMORANDUM AND ORDER

- 1) The plaintiff's unopposed Motion for Attorney Fees, (filing no. 36), is granted.
- 2) Pursuant to the Equal Access to Justice Act (EAJA), the defendant shall pay to the plaintiff \$7,000.00 for attorney fees and \$500.00 for expenses, for a total amount of \$7,500.00.
- 3) The defendant shall determine if the plaintiff owes a debt to the United States that is subject to offset. If there is no debt owed by plaintiff, the fee award shall be made payable to plaintiff's attorney. Should there be an offsettable debt in an amount less than the EAJA award, then the amount of the EAJA award exceeding the offsettable debt shall be paid to plaintiff by a check made payable to plaintiff and sent to plaintiff in care of plaintiff's counsel at counsel's office of record.

DATED this 22nd day of March, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge